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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,687	06/12/2000	Robert Rosko	47004.000074	4829

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/20/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/591,687

Applicant(s)

ROSKE ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on 7/9/2003 (paper # 17). Claims 1-7, 9-18 and new claims 19-21 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-7, 9-15, 17 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kirsch US pat. No.5,963,915.

As to claim 1, Kirsch discloses a method for accessing one of a plurality of remote service providers across a network via a single login to a host service provider (an Internet Service Provider connected to the Internet 14 fig.1), each of the plurality of

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remote service providers (16 fig.1) being accessible through the host service provider, and each of the plurality service providers having separate login procedures requiring data comprising the steps of:

The host service provider (using an Internet Service Provider connected to the Internet 14 of fig.1, see col.5 lines 52-63) receiving the single login, the service provider having a universal session manager (i.e., the client computer system for requesting a Web page by issuing a URL request through Internet to the server system, see abstract, fig.1, col.5 line 52 to col.6 line 49 and col.7 line 11 to col.8 line 44).

The universal session manager retrieving data from a validation database (using database 36 fig.2 for storing registration record of users, see col.7 line 43 to col.8 line 20) based on the single login to the service provider, wherein the data is effective for accessing a remote service provider and is based at least in part on the received username and password (i.e., login form using user identification and password, col.6 line 22 to col.7 line 19).

transmitting data to the remote service provider and directing the user to the remote service provider (using redirection request, see col.6 lines 28-62), the universal session manager and the remote service provider exchanging the data to effect a two-sided authentication (i.e., processing of a transaction T-2 over the server 34 of fig.2 to the remote server 22 of fig.2, see also fig.2, col.7 line 20 to col.8 line 63 and col.10 lines 5-46).

the host service provider directing the user to the remote service provider (using the direct-server, see col.6 line 50 to col.7 line 42).

As to claims 2 and 10, Kirsch discloses a trusted service module acts as an intermediary between the host service provider and the trusted service provider (i.e., establishing a secure session transaction with the server, see col.9 line 23 to col.10 line 62).

As to claim 3, Kirsch discloses receiving the session ID (ID or identification) from the trusted service provider (see col.13 line 1 to col.14 line 43).

As to claim 5, Kirsch discloses comprising a cookie (see col.8 lines 12-63).

As to claims 4, 6 and 9, Kirsch discloses placing a text file on the user's network data acquisition module and registering the user with the remote service provider (displaying the text portion and creating an initial cookie to encode user ID and password, see col.13 line 1 to col.14 line 19).

As to claim 7, Kirsch further discloses a method for accessing one of a plurality of remote service providers across a network via a single login to a host service provider (ISP connected through the Internet 14 of fig.1, see col.5 lines 52-63), each of the plurality of remote service providers (16 fig.1) being accessible through the host service provider, and each of the plurality service providers having separate login procedures requiring data comprising:

a user system having a network data acquisition module and plurality of remote service providers (44 and 40 of fig.2) (see fig.2, col.7 line 20 to col.8 line 63).

a universal session manager for receiving a user's ID and password (identification code and password, see col.13 lines 1-31) and passing data required for access to said remote service provider and a validation database (43 fig.2B) for storing information for accessing the remote service provider (i.e., the client computer system requesting a Web page by issuing a URL request through Internet to the server system, see abstract, fig.1, col.5 line 52 to col.6 line 49).

the universal session manager and the remote service provider exchanging the data to effect a two-sided authentication (i.e., processing of a transaction T-2 over the server 34 of fig.2 to the remote server 22 of fig.2, see also fig.2, col.7 line 20 to col.8 line 63 and col.10 lines 5-46).

the validation database (using database 36 fig.2 for storing registration record of users, see col.7 line 43 to col.8 line 20) for storing the data for accessing the remote service provider, the universal session manager communicating with the validation database to obtain the data, the host service provider directing the user to the selected one of the plurality of remote service providers and the host service provider directing the user to the remote service provider (using the direct-server to process secure purchase transactions, see col.6 line 50 to col.7 line 42).

As to claims 11, 13-15, Kirsch discloses a remote service provider with access requirements, registration module for receiving data to the services, a login module for

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gaining access the data for registering a user with the remote service provider (providing the registration forms to users with secure information, see col.7 line 43 to col.8 line 63).

As to claim 12, Kirsch discloses an Internet Browser (see col.6 lines 1-63).

As to claim 17, Kirsch discloses the remote service provider is a distinct remote site (22 fig.2) from the host service provider (32 fig.2) (see fig.2 and col.7 line 20 to col.8 line 63).

As to claims 19-21, Kirsch discloses the validation database transmitting data to the universal session manager indicating which service the user is enrolled (using database 36 fig.2 for storing registration record of users to process clients' requests, see col.7 line 43 to col.8 line 44) and the single login from the user is performed over a network (Internet 14 fig.1, see col.5 line 52 to col.6 line 67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirsch US pat. No.5,963,915.

Kirsch 's teachings still applied as in item 3 above. Kirsch further discloses a series of handshake (i.e., providing a series of handshake transactions to negotiate the establishment of the secure transactions, see col.2 lines 1-46), which may include a set of one, two, three... handshake transactions between the two servers. Therefore, Kirsch discloses a triple handshake as the applicant's claimed invention.

Response to Arguments

6. Applicant's arguments filed on 7/9/2003 have been fully considered but they are not persuasive.

- * Applicant asserts that the Kirsch reference does not disclose an Internet Service Provider as 14 of fig.1.

Examiner respectfully disagrees. Kirsch discloses an Internet Service Provider connected to the Internet 14 of fig.1 (see col.5 lines 52-63) as rejected above.

* Applicant asserts that the Kirsch reference does not disclose a validation database.

Examiner points out that Kirsch clearly discloses using database 36 fig.2 for storing registration record of users (see col.7 line 43 to col.8 line 44).

* Applicant further asserts that the Kirsch reference does not disclose a universal manager.

Examiner points out that the Kirsch reference using the client computer system for requesting a Web page by issuing a URL request through Internet to the server system (universal manager), see abstract, fig.1, col.5 line 52 to col.6 line 49 and col.7 line 11 to col.8 line 44).

* Applicant further asserts that there is no motivation in the rejection 103 using the "back ground of the invention" in Kirsch's.

Kirsch further discloses a series of handshake (i.e., providing a series of handshake transactions to negotiate the establishment of the secure transactions, see col.2 lines 1-46), which may include a set of one, two, three... handshake transactions between the two servers. Therefore, Kirsch discloses a triple handshake as the applicant's claimed invention. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement a triple hand- shake in the computer system of Kirsch because it would have exchanged of signals between two

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devices when communications begin in order to ensure synchronization and provided a more secure network environment.

Claims 2—6 and 9-21 are dependent on claims 1 and 7 respectively. Therefore, they are rejected at least for the same reasons set forth above to claims 1 and 7 or for other reasons set forth in the previous office action filed on April 9, 2003 [see Paper No. 15]. With all above given reasons, the rejections for claims 1-55 are respectfully maintained.

Conclusion

7. Claims 1-7 and 9-21 are *rejected*.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U.S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art unit 2155
10/18/2003


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER